

VACATION

Improvement Res. No. 917-1955

Which provides for the Vacation of the north eighty (80) feet of the ten (10) foot wide permanent easement between Smith Street and Olive Street from the south property line of the first alley north of McKinnie Avenue to the north property line of McKinnie Avenue, said easement being the west five (5) feet of Lot No. 9, Block 6, Waynewood Heights Addition ~~Confirmed~~ and the east five (5) feet of Lot No. 10, Block 6, Waynewood Heights Addition.

~~Bids Received~~ Res. Adopted: 6/21/55

~~CONFIRMED:~~ July 14, 1955

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Comfirmed:

August 25, 1955

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the north eighty (80) feet of the ten (10) foot wide permanent easement between Smith Street and Oliver Street from the south property line of the first alley north of McKinnie Avenue to the north property line of McKinnie Avenue, said easement being the west five (5) feet of Lot No. 9, Block 6, Waynewood Heights Addition and the east five (5) feet of Lot No. 10, Block 6, Waynewood Heights Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the north eighty (80) feet of the ten (10) foot wide permanent easement between Smith Street and Oliver Street from the south property line of the first alley north of McKinnie Avenue to the north property line of McKinnie Avenue, said easement being the west five (5) feet of Lot No. 9, Block 6, Waynewood Heights Addition and the east five (5) feet of Lot No. 10, Block 6, Waynewood Heights Addition.

All as shown by a plan of such proposed ~~Opening~~ ~~Vacation~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 9 & 10, Block 6, Waynewood Heights Addition. Said addition inclusive to the City of Fort Wayne, Indiana. x

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by ^{SAD} above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental^S thereof.

~~The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

xv All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Thirteen, Township 30 north, Range 12 east, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana. x x

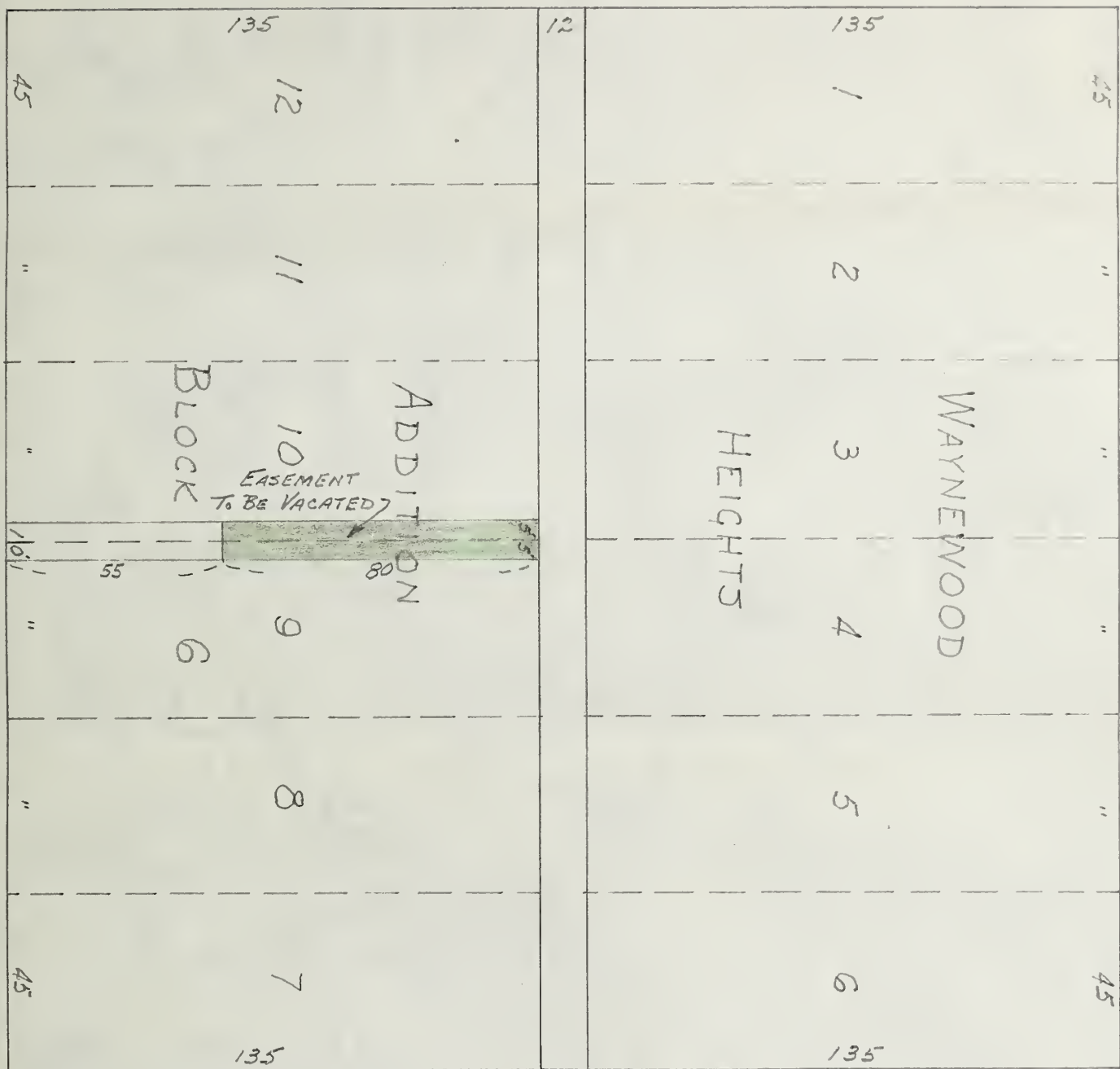
ADOPTED THIS 21st DAY OF June, 19 55 .

Attest: J. P. Haller
Secretary Board of Public Works.

Frank R. Ross
Orin M. Darling
Board of Public Works.

SMITH

ST. - 50'



MILTON

ST. - 50'

OLIVER

ST. - 50'

917

JUN 20 1955



Mc KINNIE

AVE. - 50'

F O R T



POWER PLANT



SEWAGE TREATMENT PLANT



FILTRATION PLANT

CITY of FORT WAYNE

FORT WAYNE,
INDIANA

April 28, 1955

Mr. John D. Martindale, Architect
402 West Main Street
Fort Wayne 2, Indiana

re: Christ Methodist Church
McKinnie Avenue at Smith Street

Dear John:

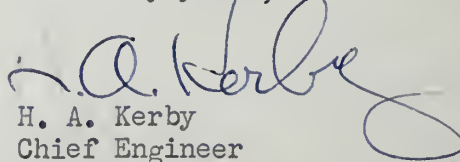
We are returning your Sheet No. 1, Proj. 297 with an easement shown which we request for the relocated sewer.

Your request for vacation should indicate the present east-west and the north-south, (presumably between Lots 9 and 10 of Waynewood Heights Addition) easements and should be accompanied by an easement procurement describing a permanent easement 7 feet on each side of a center line deflecting as shown. The existing 12 feet easement will remain except for the north part which will be vacated.

Our figures are scaled and you should check them to see that the sewer and the new easements arrive in blissful harmony at the same time and place. (If there's anything I can't stand, it's an unhappy sewer resting uneasily outside its own bed.)

I am enclosing a Grant of Easement form to serve as your rule and guide to keep you within bounds.

Cordially yours,


H. A. Kerby
Chief Engineer

HAK/jhh

Enc.

City of Fort Wayne

Indiana



OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE, INDIANA

May 31, 1955

Mr. R. Y. Adams,
Planning Director
505 Standard Building
Fort Wayne, Indiana

Dear Sir:

We are referring to you for investigation and report the vacation of
of the following described sewer easement, to-wit:

The permanent sewer easement ten feet in width over, under and
through the east five (5) feet of Lot Number 10, Block 6, (Mc Kinnis Ave.)
Wayne Wood Heights Addition and the west five (5) feet of
Lot Number 9, Block Number 6, Wayne Wood Heights Addition to
the City of Fort Wayne, Indiana, according to the recorded
plat thereof, except the south 55 feet of the aforesaid ten
(10) foot easement.

Yours truly,

No objections
R.Y.A.

ATTEST:

JLH:m

J. H. Hallett
Secretary

William
Frank K. Ross
Quin M. Dalling
BOARD OF PUBLIC WORKS

GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT the Christ Methodist Church of Fort Wayne, Indiana, by J. A. Henderson, W. E. Emrich, Margaret W. Horth, JAMES R. BARRON, BEN H. MAGLEY, FRANK J. KRANDELL, and HAROLD A. BRANSTRATOR its duly elected, qualified and acting Trustees, of Allen County, in the State of Indiana, in consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt whereof Grantors hereby acknowledge, hereby give, grant and convey, but without warranty, to the City of Fort Wayne, Allen County, in the State of Indiana, an Indiana municipal corporation, its successors and assigns, a perpetual right-of way and easement to maintain and operate a line of pipe twelve (12) in ches in diameter, with all necessary appurtenances for the transportation and carrying of sewage under, in and along the following described real estate, in Allen County, State of Indiana, to-wit:

An easement 14 feet wide, being 7 feet on each side of a centerline across Lots 7, 8, 9, 10, 11 and 12, Block 6, Wayne Wood Heights Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof, said centerline being more particularly described as follows:

Commencing at the existing manhole located at a point 138 feet north and 1 foot east of the Southeast corner of Lot 7, Block 6, Wayne Wood Heights Addition to the City of Fort Wayne, Indiana; thence south 33 degrees West 48 feet to a point; thence South 34 degrees West 117 feet to a point; thence North 67 degrees West 112 feet to a point; thence North 45 degrees West to a point 131 feet North of the Southwest corner of Lot 12, Block 6, Wayne Wood Heights Addition to the City of Fort Wayne, Indiana.

Grantee may at anytime enter upon said premises for the purposes of repairing, maintaining and re-laying of said combined storm and sanitary sewer.

IN WITNESS WHEREOF, the said grantor has hereunto set its hands and seals this 23^d day of May, 1955.

CHRIST METHODIST CHURCH of FORT WAYNE,
INDIANA:

By Alvin Henderson
Trustee
Wm E. Emrich
Trustee
Margaret A. Horth
Trustee

By Frank J. Krandell
Trustee
James R. Barron
Trustee
Ben H. Magley
Trustee
Harold A. Branstrator
Trustee

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, this 23rd day of May, 1955, personally appeared the within named J. A. Henderson, W. E. Emrich, Margaret W. Horth, James R. Barron, Ben H. Magley, Frank J. Krandell, and Harold A. Branstrator, personally known to me to be Trustees of Christ Methodist Church of Fort Wayne, Indiana, Grantor in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed in behalf of said Christ Methodist Church of Fort Wayne, Indiana, for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto set my name and affixed my official seal.

Edward M. Brown

Edward M. Brown, Notary Public

My commission expires:

June 21, 1958

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1000000000

1000000000

P E T I T I O N

Fort Wayne, Ind., March 10, 1955

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on McKinnie Ave., from

Smith St.

to

Oliver St.

respectfully petition for the passage of a resolution providing for the vacation of the following described sewer easement, to-wit:

The permanent sewer easement ten feet in width over, under and through the east five (5) feet of Lot Number 10, Block 6, Wayne Wood Heights Addition and the west five (5) feet of Lot Number 9, Block Number 6, Wayne Wood Heights Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof, except the South 55 feet of the afore-said ten foot easement.

Petitioner is the sole owner of the said lots numbered 10 and 9, and of all the other lots in Block Number 6, Wayne Wood Heights Addition.

Petitioner desires the vacation of the above described sewer easement in order that it may utilize the said real estate (being all of Block Number 6 in Wayne Wood Heights Addition) for the erection and construction of a church and other religious structures.

CHRIST METHODIST CHURCH OF FORT WAYNE, INDIANA

By:

Simon J. Hartung, Trustee
Frank A. Krandell, Trustee
Ben A. Magley, Trustee
William E. Enrich, Trustee
Robert D. Allen, Trustee
Alvin Henderson, Trustee Chairman

Petition for Passage

of a Resolution for

~~the vacation of a ten feet~~
sewer easement over, under, and
through the east five feet of
~~Lot Number 10, Block Number 6,~~
~~Wayne Wood Heights Addition and~~
the west five feet of Lot Number
9, Block Number 6, Wayne Wood
Heights Addition to the City of
Fort Wayne, Indiana, according
to the recorded plat thereof.

from _____

to _____

Filed with the Board of Public Works

Plans Ordered: June 7, 1955

